

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

LISA LEE,  
VS  
UNITED STATES OF AMERICA

FILED IN CLERK'S OFFICE  
U.S.D.C. - Atlanta  
MAY - 3 2017  
JAMES N. HATTAN, Clerk  
RE: 1:10-cr-00345-WCO-CCH  
1:14-CV-1435-WCO

NOTICE OF APPEAL

Notice is hereby given that, Lisa Lee, the petitioner, pro se, hereby Appeals to the Atlanta Court of Appeals for the 11th Circuit from the order/judgment denying her request to represent herself [130] and the remaining unanswered claims in [129] and the original judgment [70] modified by the order [131], and all pleadings related thereto, entered for record in the above action on the 20th day of April, 2017.

RESPECTFULLY SUBMITTED  
[Signature] 4-30-17

PRO SE REPRESENTATION

LISA LEE, SPC ALICEVILLE, P.O. BOX 487, ALICEVILLE,  
AL 35442  
1 of 1

## CONFIDENTIAL

## FINANCIAL AFFIDAVIT

IN UNITED STATES ☐ MAGISTRATE ☒ DISTRICT ☐ APPEALS COURT or ☐ OTHER PANEL (Specify below)

IN THE CASE

LISA LEE v.s. USA

FOR

AT

LOCATION NUMBER

PERSON REPRESENTED (Show your full name)

LISA RENEE LEE

CHARGE/OFFENSE (describe if applicable &amp; check box →)

Aggravated Identity Theft

Consp to Wire Fraud/Mail Fraud/Bank Fraud &amp; Aid&amp;Abet Bank Fraud

☒ Felony☐ Misdemeanor

- 1 ☒ Defendant—Adult  
 2 ☐ Defendant - Juvenile  
 3 ☒ Appellant  
 4 ☐ Probation Violator  
 5 ☐ Parole Violator  
 6 ☐ Habeas Petitioner  
 7 ☐ 2255 Petitioner  
 8 ☐ Material Witness  
 9 ☐ Other

DOCKET NUMBERS

Magistrate

District Court

1:10-cr-345

Court of Appeals

ASSETS

EMPLOYMENT	Are you now <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Am Self-Employed
	Name and address of employer: <u>FBOP Aliceville Prison Camp, P.O. Box 487, Aliceville, AL 35442</u>
OTHER INCOME	IF YES, how much do you earn per month? \$ <u>Fluctuating amount</u>
	IF NO, give month and year of last employment _____
CASH	How much did you earn per month? \$ _____
	IF married is your Spouse employed? <input type="checkbox"/> Yes <input type="checkbox"/> No
PROPERTY	IF YES, how much does your Spouse earn per month? \$ _____
	If a minor under age 21, what is your Parents or Guardian's approximate monthly income? \$ _____
ASSETS	Have you received within the past 12 months any income from a business, profession or other form of self-employment, or in the form of the form of rent payments, interest, dividends, retirement or annuity payments, or other sources? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	RECEIVED SOURCES
CASH	IF YES, GIVE THE AMOUNT RECEIVED & IDENTIFY THE SOURCES \$ _____
	Have you any cash on hand or money in savings or checking accounts? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No IF YES, state total amount \$ <u>8.64</u>
PROPERTY	Do you own any real estate, stocks, bonds, notes, automobiles, or other valuable property (excluding ordinary household furnishings and clothing)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	IF YES, GIVE THE VALUE AND DESCRIBE IT \$ _____

OBLIGATIONS &amp; DEBTS

DEPENDENTS	MARITAL STATUS	Total No. of Dependents	List persons you actually support and your relationship to them
	<input type="checkbox"/> SINGLE <input type="checkbox"/> MARRIED <input type="checkbox"/> WIDOWED <input checked="" type="checkbox"/> SEPARATED OR DIVORCED	<u>0</u>	
DEBTS & MONTHLY BILLS	APARTMENT OR HOME:	Creditors	Total Debt Monthly Paymt.
	<u>n/a (except restitution - contesting)</u>		
DEBTS & MONTHLY BILLS	(LIST ALL CREDITORS, INCLUDING BANKS, LOAN COMPANIES, CREDIT ACCOUNTS, ETC.)		

I certify under penalty of perjury that the foregoing is true and correct.  
 The information herein is protected from public disclosure by the Judicial Conference Policy on Public Access to Electronic Criminal Case Files

Executed on (date) APR 30, 2017

SIGNATURE OF DEFENDANT

(OR PERSON REPRESENTED)

Lisa Lee 4-30-17

TRULINCS 55562019 - LEE, LISA R - Unit: ALI-E-E

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FROM: 55562019

SUBJECT: Affidavit In Support of NOTICE OF APPEAL

DATE: 04/30/2017 09:12:07 PM

AFFIDAVIT IN SUPPORT OF  
NOTICE OF APPEAL & REQUEST FOR STAY OF EXECUTION

- 1) On 4/27/2017, Movant/defendant spoke to her Appeal Attorney/Jesse Stewart and discussed how to proceed in the case. The call was scheduled by Jesse Stewart (through the BOP) and was conducted in the Office of Movant's Counselor (Ms. Hulett).
- 2) Movant requested again that her attorney file for Bond Pending Appeal, a request Movant made during the first month of the appointment of Jesse Stewart to Movant's case. Now (as then) he vigorously advised against it citing ---The need to keep a "laser focus" on the issues already briefed (tentatively scheduled for ORAL ARGUMENT, the week of June 26, 2017).
- 3) Near the close of the phone/con, after some heated discussion (during which Movant informed her Appeal Attorney (Jesse Stewart) that NONE of the conduct alleged by the government OR cited in the PSR, is within the reach of the mail fraud or wire fraud (Racketeering Statutes). Therefore, even if everything the government alleged were true, the court had no subject matter jurisdiction over the alleged conduct **IS GA STATE** common law fraud **IS** cannot satisfy the requirement for a predicate offense for RICO. Movant's attorney didn't say that was not true but advised movant that this precise argument was not raised in movant's initial 2255 brief; nor in movant's Appeal Court brief [before of after the appointment of her Appeal Attorney/Jesse Stewart]; **AND IS COMPLICATED**
- 4) Movant also discussed the NON-SURETY BOND which movant/defendant was admitted to prior to the Judgment in this case which stated in clear, mandatory language that the bond SHALL remain in effect through all appeals; and, Matthew

TRULINCS 55562019 - LEE, LISA R - Unit: ALI-E-E

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(5) Dodge failed to raise that during sentencing. Movant's Appeal Attorney said this was not important at this stage and he vigorously advised: **WE SHOULD WAIT UNTIL** such time that the Appeal Court might REMAND back to the District Court. Movant advised her Appeal Attorney "We are still in the DIRECT APPEAL stage because when the case went to the Appeal Court the first time, AFFIRM **[of the erroneous judgment]** was NEVER SIGNED by any JUDGES." And, because the JUDGMENT has not been fully EXECUTED, suggested **REQUESTING** bond pending appeal would be appropriate. Jesse disagreed and once again cited the need to keep a "laser focus" for the Appeal Court issues and mentioned that we only get 15 minutes to make our argument; and, that we cannot raise anything not covered in our earlier briefs.

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6) Movant suggested that those matters would relate back to the following things mentioned in her 2255 brief & supplemental filings:

- a) ELEMENTS of the offense (Matthew Dodge never explained the ELEMENTS)
- b) INVESTIGATION **[Matthew Dodge's lack of proper investigation of the rules of the court regarding bond, caused her to be in prison when she could have been free during all appeals.]** Movant has remained continuously on appeal.

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7) Because Movant and her Appeal Attorney continued to disagree, movant suggested that Jesse Stewart remove himself (and the other 3 attorneys associated with him) from the district court case number so she (Lisa Lee) could file for bond pro se and it was further agreed that he would by "early next week". Movant asked that he withdraw by the next day (Friday 4/28/2017) but he said that would be difficult for him to manage. **All the foregoing is true to the**

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**BEST of my knowledge AND I certify it UNDER PENALTY OF PERJURY. Respectfully SUBMITTED by**  
LISA Lee 55562-019, P.O. BOX 487, SPC, ALICEVILLE, AL 35442  
 4-30-17

CERTIFICATE OF SERVICE

This is to certify, under penalty of perjury under the laws of the United States of America pursuant to 28 U.S.C. §1746, that I have served a true and correct copy of the foregoing:

- 1) NOTICE OF APPEAL (2 COPIES)
- 2) FINANCIAL AFFIDAVIT (1 COPY)
- 3) MOTION TO STAY EXECUTION OF 4/20/17 ORDER
- 4) AFFIDAVIT IN SUPPORT 5) SUPERSEDEAS [1 of 1]

upon the following address(es) by placing same in a sealed envelope, bearing sufficient postage for delivery via the United States Postal Service, to:

U.S. DISTRICT COURT  
ATTN: CLERK OF COURTS  
75 TED TURNER DR, SW  
ATLANTA DIVISION  
ATLANTA, GA 30303

and deposited it in the postal box provided for inmates on the grounds of the Federal Correctional Institution, ALICEVILLE, AL, on this 30TH day of APRIL, 2017.

  
Signature

Register No. 55562-019  
Federal Correctional Institution ALICEVILLE  
SPC, P.O. BOX 48  
ALICEVILLE, AL 35442

Litigation is deemed FILED at the time it was delivered to prison authorities. See Houston v. Lack, 487 US 266, 101 L Ed 2d 245, 108 S Ct. 2379 (1988)



⇄55562-019⇄

Lisa R Lee  
PO BOX 487  
Satellite Prison Camp  
Aliceville, AL 35442  
United States



⇄55562-019⇄

District Court  
Attn: Clerk of Court  
75 TED Turner DR SW  
Atlanta Division  
Atlanta, GA 30303  
United States

U.S. DISTRICT COURT  
ATTN: CLERK OF COURT  
75 TED TURNER DR SW  
ATLANTA DIVISION  
ATLANTA, GA 30303



UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA  
2211 UNITED STATES COURTHOUSE  
75 TED TURNER DRIVE, SW  
ATLANTA, GEORGIA 30303-3361

JAMES N. HATTEN  
DISTRICT COURT EXECUTIVE  
AND CLERK OF COURT

DOCKETING SECTION  
404-215-1655

May 4, 2017

Lisa R. Lee  
55562-019  
ALICEVILLE-CAMP  
FCI ALICEVILLE  
SATELLITE CAMP  
P.O.BOX 487  
ALICEVILLE, AL 35442  
PRO SE

Re: *United States of America v. Lisa R. Lee*  
Criminal Action No.: 1:10-cr-345-WCO

Dear Ms. Lee:

On May 3, 2017 we received and filed your Notice of Appeal for the above case.  
Please be advised that we did not receive the following:

- ☒ Appeal fee \$505.00 (Docketing fee \$500.00 and Filing fee \$5.00)
- ☒ or Application to proceed on appeal in forma pauperis.
- ☒ Please complete the attached appeal information sheet as directed.

Sincerely,

James N. Hatten  
District Court Executive  
and Clerk of Court

By: P. McClam  
Deputy Clerk

cc: USCA